

MEETING MINUTES OF WAREHAM CONSERVATION COMMISSION

Date of Meeting: March 6, 2019

I. CALL MEETING TO ORDER

The meeting was called to order at 7:02 P.M.

II. ROLL CALL

Members Present: Sandy Slavin (Arrived at 7:04 P.M.)
Ken Baptiste
Joe Leggett
Elissa Heard
Robert Lassen
David Pichette, Agent

Members Absent: Jim Smith
Mary Taggart
Mark Carboni, Associate

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: November 7, 2018

To be handled later in the meeting.

NOTE: The meeting proceeded w/ item V. Continued Public Hearings.

A. RDA – Joseph & Kerri Bombardier

Present before the ConCom: Joseph & Kerri Bombardier

Mr. Bombardier submitted the green abutter notification receipts.

Mr. Pichette described the project. The property is located at 25 McKinley St. in the Briarwood area. The project involves the demolition of an existing dwelling & the reconstruction of a new dwelling w/in a coastal flood zone. An existing 21x37 ft. dwelling is to be removed & a new 28x45 ft. dwelling is proposed w/in coastal flood zone AE, elevation 15. The project is not in the buffer zone to any other resource areas. There are no grade changes proposed. The new dwelling will have Town water & sewer. He recommended the issuance of a Negative Determination #2 for the project.

NOTE: Ms. Slavin arrived at this time.

MOTION: Mr. Leggett moved to close the public hearing for Joseph & Kerri Bombardier. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #2 for Joseph & Kerri Bombardier. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

B. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – SE76-2526

Present before the ConCom: Stacey Minehan, Beals & Thomas
Zack Marcus, Borrego Solar Systems, Inc.

Mr. Pichette described the project. The property is located at 299 Farm to Market Rd. The project involves the installation of a solar array w/in the buffer zone to BVW & to an inland bank. A 3.5 MW solar array is proposed w/in the buffer zone to existing cranberry bogs. Clearing work w/in the buffer zone has already been done at the site w/out an OOC. The proposed array has already been cleared. The proposal shows some of the work to be located w/in the 50 ft. no activity zone to the bog. The plan has been revised to remove elements from being w/in the 50 ft. no activity zone. There may be a slight modification to that. The only exception is the underground electrical lines that will be installed w/in the existing bog roads. The project has been reviewed by the Town's engineer. Comments have been received by the Town's engineer. He had questions re: stormwater drainage. A DEP file number has been received. He recommended a continuance until the Town's engineer is satisfied w/ the design & stormwater matters.

Ms. Minehan stated she has reviewed the Town engineer's comments w/ Borrego & the design engineer. There is no stormwater management system proposed. She noted a report pre/post conditions matching for stormwater runoff. This site is already cleared previously for agricultural bog sand. She noted grading proposed for the site. Soil testing will be done. She discussed work done in the 50 ft. no activity zone.

Mr. Marcus discussed the energy storage component of the project & the materials to be used.

MOTION: Mr. Leggett moved to continue the public hearing for Borrego Solar Systems, Inc. to March 20, 2019. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

IV. PUBLIC HEARINGS

A. RDA – MASS Dept. of Transportation – Highway Division, c/o Andrea L. Coates

The public hearing notice was read into the record.

Present before the ConCom: Michael Clements

Mr. Pichette described the project. The property is located on Rte. 25 from Rte. I-195 to Glen Charlie Rd. On this stretch of highway, it is proposed to do resurfacing work & vegetation removal in the buffer zone to BVW. This section of highway will be milled & resurfaced. Also, vegetation w/in 15 ft. of the pavement edge will be cut back for vegetation management purposes. Catch basin grates will also be reset & drainage pipes will be cleaned out along this stretch of road. In most areas w/in the work area, the vegetation is already cut back close to the desired limit, but small trees that have grown into this area along w/ overhanging branches will be cut back. There are also a few larger trees w/in the work zone to be removed. This will include work in the median as stump removal or earth work. This is essentially maintenance work that has not been done in several years & now needs to be done for safety purposes. He recommended the issuance of a Negative Determination #3.

Mr. Clements briefly discussed the project.

MOTION: Mr. Leggett moved to close the public hearing for MASS Dept. of Transportation. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #3 for MASS Dept. of Transportation. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

B. RDA – Luis Guaman, c/o Land Planning, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Steven Rye, Land Planning

Mr. Pichette described the project. The property is located at 85 Fearing Hill Rd. The project involves upgrading a septic system & the demolition & reconstruction of a dwelling, partially in the buffer zone to BVW. An existing system is to be replaced w/ a new Title V system & the septic tank work will be 80 ft. from the edge of the wetland. A 28x40 ft. dwelling is to be demolished & a new dwelling shall be constructed in the same location & footprint. A corner of the existing dwelling is also w/in the buffer zone to the wetland. No significant grade changes are proposed. Haybales are proposed between the work & the resource area as shown on the plan. He recommended the issuance of a Negative Determination #3.

Mr. Rye briefly discussed how the project will be handled.

MOTION: Mr. Leggett moved to close the public hearing for Luis Guaman. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #3 for Luis Guaman. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

C. RDA – Wareham Retail Management, LLC, c/o Highpoint Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Derek Redgate, Highpoint Engineering, Inc.

Mr. Redgate stated he left the green abutter notifications at his office. He can get them to the ConCom tomorrow morning. He has a photo of them on his phone.

Mr. Pichette described the project. The property is located at 1 Seth Tobey Road. This application is being filed as part of the site plan review requirements under the Zoning Bylaw. The project is to construct commercial buildings & associated parking lots, stormwater drainage structures & utilities. The proposed project is outside of any areas subject to ConCom jurisdiction under the State & local wetland laws. Therefore, he recommended the issuance of a Negative Determination #1 & #6.

MOTION: Mr. Leggett moved to close the public hearing for Wareham Retail Management, LLC. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant a Negative Determination #1 & #6 for Wareham Retail Management, LLC contingent upon the Agent receiving the green abutter notifications from the applicant. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

D. NOI – Town of Wareham/Municipal Maintenance Dept., c/o G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Bob Rogers, G.A.F. Engineering, Inc.

Mr. Pichette described the project. The property is located at corner of Pilgrim Ave. & Smith Ave. The project involves the installation of a stormwater structure in the buffer zone to a salt marsh & within a coastal flood zone. A stormwater retention basin is proposed to alleviate a drainage problem to alleviate road flooding. A sediment forebay will be installed & retention basin on the side of the road to take stormwater runoff. The work area is approx. 35x70 ft. Vegetation would be cleared & the detention basin will be constructed as shown on the plan. The limit of work would be approx..50 ft. from the edge of the saltmarsh. There will be a paved waterway to direct runoff into the system. Haybales & silt fence will be installed between the

work & resource area. A DEP file number has been assigned. He recommended the issuance of an OOC w/ standard conditions & the added condition that the stormwater structures be maintained according to operation maintenance plan which is found in the site plan & that this be a continuing condition.

Mr. Rogers explained the issue w/ drainage in this area & how this project will correct this problem. It is also being requested to be able to flag the limit of the erosion controls so MM can cut the trees prior to installing the haybales & silt fence.

MOTION: Mr. Leggett moved to close the public hearing for Town of Wareham/Municipal Maintenance Dept. Mr. Lassen seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant an OOC w/ standard conditions & the added condition that ongoing maintenance be an ongoing condition per the plan & allow clearing along the habybale line prior to placement of haybales for Town of Wareham/Municipal Maintenance Dept. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

E. NOI – Joseph & Susan Ciulla, c/o JC Engineering, Inc.

The public hearing notice was read into the record.

Present before the ConCom: Brad Bertollo, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 11 Pond Edge Trail. The project involves the construction of a single family dwelling, garage, in-ground pool & site work in the buffer zone to wetlands. A 30x70 ft. dwelling w/ attached 24x40 ft. garage is proposed. The garage would be 57 ft. from the edge of the wetland. The limit of work would be 30 ft. from the edge of the wetland. Also proposed is a 16x32 ft. in-ground pool w/ surrounding patio apron. This would be 85 ft. from the edge of the wetland. Significant grading is proposed to try to flatten out the lot for the house location. The majority of the lot is to be cleared. Geothermal wells are proposed for heating purposes. He asked what this entails. The proposed septic system is outside the buffer zone to the wetland. Haybales & silt fence will be placed between the work & the resource area. A DEP file number has been reviewed. He recommended the issuance of an OOC w/ standard conditions & the added conditions that the pool water not be discharged towards the wetland area.

Mr. Bertollo briefly discussed topography & grading. He noted the geothermal may not be done due to budget issues. It will be addressed at the Building Dept. if it proceeds. Brief discussion ensued re: an irrigation well & pool water & pool water drainage.

MOTION: Mr. Leggett moved to close the public hearing for Joseph & Susan Ciulla. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Baptiste moved to grant an OOC w/ standard conditions & the additional conditions that the pool water not be discharged into the wetlands & the pool be filled with an outside source for Joseph & Susan Ciulla. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARINGS

A. RDA – Joseph & Kerri Bombardier (DONE)

B. NOI – Borrego Solar Systems, Inc., c/o Beals & Thomas, Inc. – SE76-2526 (DONE)

C. NOI – Russell Motto, JC Engineering, Inc. – SE76-2528

Present before the ConCom: Brad Bertollo, JC Engineering, Inc.

Mr. Pichette described the project. The property is located at 71 Onset Ave. The project involves the construction of a single family dwelling in the buffer zone to BVW & w/in a coastal flood zone. The proposed limit of work is at the 30 ft. no activity zone line. A 26x26 ft. dwelling w/ attached 24x24 ft. garage is proposed 55 ft. from the edge of the wetland. Significant grade changes are proposed. At the last meeting, the amount of fill was questioned & the engineer has submitted revisions on a revised plan. It shifted the location of the house in turn reducing the amount of fill needed. Also, the BOH has approved the septic system & a DEP file number has been assigned. He expressed concern re: the amount of fill still needed & the driveway pitching water back into the street.

Mr. Bertollo stated the house was shifted & pulled away from the wetland. The side entrance garage was changed to the front which shortened the driveway. Some drainage would go into the street & some in the natural swale amongst the trees. He discussed the reduction of fill & grading. Brief discussion ensued re: debris on the property.

MOTION: Mr. Leggett moved to close the public hearing for Russell Motto. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant an OOC w/ standard conditions for Russell Motto. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

D. NOI – LDE Holdings, LLC, d/b/a Trade Roots Company, c/o G.A.F. Engineering, Inc. – SE76-2525

Present before the ConCom: Bill Madden, G.A.F. Engineering, Inc.
Jesse Pitch, Trade Roots Company

Mr. Pichette described the project. The property is located at 6 Thacher Lane in the Industrial Park. The project involves the construction of an addition to a commercial building, parking lot & stormwater drainage system in the buffer zone to BVW. A 75x110 ft. commercial building addition is proposed 61 ft. from the edge of the BVW. The wetlands line was checked & no flags were changed. The plan is showing new development w/in the 50 ft. no activity zone in terms of tree clearing & the construction of the stormwater drainage structures. He had recommended at the last meeting that the plan be modified to remove any new development w/in the 50 ft. no activity zone. The proposed drainage basin should be relocated or use underground infiltration under the parking lot. Mr. Rowley, Town Engineer reviewed the plan & had similar comments relative to the concerns above.

Mr. Pichette stated at the last meeting, the applicant was asked to mark out the no activity zone at the site & the proposed alterations on the plan. Mr. Madden submitted documentation relevant to these requests. A DEP file number has been assigned.

Mr. Pichette feels the plan should be further modified to remove the new proposed work from the 50 ft. no activity zone.

Mr. Madden stated he reviewed the Town Engineer's comments. The subsurface structure re: storm drainage has been modified. This project is considered a redevelopment project because the site was previously developed. He discussed the rain garden proposed. He disturbed information on the device for pre-treatment. Since this is a re-development, there are provisions w/in the Wetland Bylaw/Town's Bylaws that allow to request a waiver from separation from the ConCom. He disturbed the Bylaw to the ConCom members. He briefly discussed the history of the property/building & redevelopment sites. There are two environmental benefits resulting from this redevelopment. They will also be reducing the impervious surface on the site.

Brief discussion ensued re: minor activities in the buffer zone & fencing.

Mr. Pichette stated he doesn't agree w/ Mr. Madden's assessment of the Bylaws. He doesn't feel the references Mr. Madden made are relevant to this particular project. Discussion ensued. Mr. Pichette stated an option would be to reduce the size of the addition to eliminate the encroachment to the wetland no activity zone. Mr. Pitch stated he is not in favor of shrinking the size of the addition. The size of the addition is needed.

Mr. Baptiste stated to leave it the way it is & the proposal for drainage is an improvement of the site. He doesn't see a problem with it. The fence will keep debris from going into the wetlands.

MOTION: Mr. Leggett moved to close the public hearing for LDE Holdings, LLC, d/b/a Trade Roots Company. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

MOTION: Mr. Leggett moved to grant an OOC per plan presented w/ standard conditions for LDE Holdings, LLC, d/b/a Trade Roots Company. Mr. Baptiste seconded.

VOTE: Unanimous (5-0-0)

E. NOI – Merces Brum, c/o McKinnon & Keese Eng. – SE76-2517

The applicant has requested a withdrawal of this application.

MOTION: Mr. Baptiste moved to accept the withdrawal of the NOI application for Merces Brum. Mr. Leggett seconded.

VOTE: Unanimous (5-0-0)

VI. EXTENSION REQUESTS

NOTE: The meeting proceeded w/ item IX. Any Other Business/Discussion and/or Vote. A. Discussion: Preservation Association Dock Committee – Wewantic River.

Present before the ConCom: John Wilocowsky, Preservation Assoc. Dock Committee
Wally Frigon, Preservation Assoc. Dock Committee

Mr. Pichette stated this matter revolves around a dock project that the ConCom approved several years ago. It was to be a common pier for a newly constructed development. There was a condition at that time that this dock only be used a dinghy dock. The development residents didn't want to go through permitting for a larger use pier. The Association members are now asking the pier to be used for boats which is not how it was originally permitted.

Mr. Wilocowsky discussed documentation he submitted to the ConCom. He highlighted points in the documentation. He discussed the difficulties in getting to their boats by dinghy resulting in some minor accidents. They are not requesting changes to the pier or ramp, but they are requesting changes to the float. He stated their proposal will cut the disturbances to water in half. He discussed disturbances to land under the water w/ a mooring & chain & docking boats on the dock would reduce this disturbance. He stated docking the boats on the dock will have minimal impact on the recreation of the shoreline. There will be no impact on the navigational channel. He discussed membership in the Association. He discussed two separate dock designs.

Discussion ensued re: proposed float configuration, number of boats in that configuration & size of boats. Discussion ensued re: water depth. Ms. Heard expressed concern re: having this dock and still having moorings. Mr. Frigon stated some of the moorings would be given up.

Mr. Pichette expressed concern re: the square footage of the proposed dock. He stated the Bylaws stated there is a 300 sq. ft. maximum for the floats. The proposal would go well beyond this. Mr. Wilocowsky feels the Bylaw deals w/ a single family residence, not the amount of residences that are involved w/ this proposal. He discussed community docks.

Mr. Baptiste stated the dock was permitted as a dingy dock for that reason originally. He wants to stick with that.

Wareham School Committee's

MINOT FOREST SCHOOL BUILDING COMMITTEE MEETING

Monday, December 9, 2019, 6:00pm

Multi Service Center Room 228

Revised

1) Call to Order – Roll Call

- VOTE: Approval of Prior Meeting Minutes

2) Construction update

- Photos
- Archaeology Monitoring
- Soil Export Summary
- SumCo Schedule Overview

3) GC/Trade Pre-qualification Update

- List of Respondents

4) 100% Design Update

- 100% Design (MVG) – VOTE to finalize scope
 - Stair Guardrail Heights
 - Interior Graphics
 - Lobby Flooring
 - Corridor Wall Tile
 - Cafeteria & Gym Ceiling Paint

5) Project Budget & Cashflow

- Cashflow Update
- Invoices Paid
- Contractor Change Requests
 - VOTE (if required): on any discretionary changes in excess of \$10k not previously authorized.

6) Schedule / Next Steps

7) Public Comment

8) Adjournment

Present before the ConCom: Connie Wilocowski

Ms. Wilocowski feels that the reason it was permitted as a dingy dock was because the builder didn't have enough money to create a larger dock. The real reason why it was permitted as a dingy dock is not known. Mr. Pichette feels it had to do w/ the number of boats in that particular location & the developer didn't want to go through the permitting process for a larger dock. Discussion ensued.

Present before the ConCom: Bob Bullis

Mr. Bullis discussed the water depth at the end of the existing dock drops off & gets deep, thus the proposed additional floats would be in deep water.

Mr. Pichette stated there is a previous violation re: cutting work at Mr. Frigon's property that needs to be addressed.

I. NOTE: The meeting proceeded w/ item III. Preliminary Business.

B. Approve meeting minutes: November 7, 2018

MOTION: Mr. Leggett moved to approve the meeting minutes of November 7, 2018. Mr. Baptiste seconded.

**VOTE: (4-0-1)
Ms. Heard abstained**

II. ENFORCEMENT ORDERS

- A. Kristen Tobia – Simmons – Jordan Road**
- B. Sharon McDuffy – 58 Fearing Hill Road**
- C. David Broderick – 14 Widows Cove Lane**

III. CERTIFICATES OF COMPLIANCE

IV. ANY OTHER BUSINESS/DISCUSSION AND/OR VOTE

- A. Discussion: Preservation Association Dock Committee – Weweantic River (DONE)**
- B. Discussion: Reappointments**
- C. Discussion: Conservation Restriction/Stewardship**
- D. Discussion: Bills**

V. ADJOURNMENT

MOTION: Mr. Lassen moved to adjourn the meeting at 9:12 P.M. Ms. Heard seconded.

VOTE: Unanimous (5-0-0)

Date signed: 12/4/19

Attest: S.S. Slavin

Sandy Slavin, Chair

WAREHAM CONSERVATION COMMISSION

Date copy sent to Town Clerk: 12/5/19

WAREHAM TOWN CLERK
2019 DEC 5 PM 12:08